

DOC. # 5441
ADOPTED 10/31/91

MEMORANDUM

OCTOBER 31, 1991

TO: BOSTON REDEVELOPMENT AUTHORITY AND STEPHEN COYLE

FROM: LINDA M. HAAR, ASSISTANT DIRECTOR FOR NEIGHBORHOOD PLANNING AND ZONING

SUBJECT: AUTHORIZATION TO PETITION ZONING COMMISSION TO ADOPT TECHNICAL CHANGE TO ARTICLE 49, CENTRAL ARTERY SPECIAL DISTRICT ZONING

SUMMARY: THE EXISTING SUBSTANTIVE PROVISIONS OF ARTICLE 49 OF THE ZONING CODE CENTRAL ARTERY SPECIAL DISTRICT ARE PREMISED ON THE CONSTRUCTION OF THE CENTRAL ARTERY PROJECT. THE PROPOSED TECHNICAL AMENDMENT TO SECTION 49-4 CLARIFIES THAT, UNTIL THE SUBSTANTIAL COMMENCEMENT OF THE CENTRAL ARTERY PROJECT, THE PARCELS IN THE CENTRAL ARTERY SPECIAL DISTRICT WILL BE GOVERNED BY THE PRIOR ZONING REGULATIONS THAT WERE IN EFFECT AS OF JANUARY 1, 1991.

Article 49 of the Boston Zoning Code, Central Artery Special District, became effective on June 7, 1991. The Article implements the land-use goals and design guidelines of Boston 2000: A Plan for the Central Artery, adopted by the BRA and incorporated by the Massachusetts Department of Public Works in the Final Environmental Impact Statement/Report for the Central Artery/Tunnel Project, dated January, 1991. As such, Article 49 is premised on the commencement and completion of the Central Artery Project; it establishes use and dimensional controls and design guidelines for parcels now burdened by the highway structure that will become available as a result of the completion of the Project.

It was the intention of Article 49, that until the Central Artery Project is substantially commenced, previously existing zoning controls will remain in effect. The proposed technical amendment establishes a reference date of January 1, 1991 for determining the previously existing zoning to be applied.

The BRA staff recommends that the Board authorize the Director to petition the Zoning Commission for the adoption of a technical amendment clarifying the zoning rules to be applied in the Central Artery Corridor prior to the substantial commencement of the construction of the Project.

An appropriate vote follows:

VOTED: That the BRA authorizes the Director to petition the Zoning Commission to adopt the technical amendment to Article 49 of the Boston Zoning Code, Central Artery Special District, in substantial accord with the text submitted at the BRA Board Meeting of October 31, 1991.

Text Amendment Application No.
Boston Redevelopment Authority
Central Artery Special Districts Technical
Amendment

TO THE ZONING COMMISSION OF THE CITY OF BOSTON:

The Boston Redevelopment Authority petitions to amend the text of the Boston Zoning Code, as established under Chapter 665 of the Acts of 1956 as amended, as follows:

By inserting at the end of Section 49-4, respecting applicability of the Central Artery Special District, the following new paragraph:

Reference is made to the fact that the substantive provisions of this Article are premised on the construction of the Central Artery Project generally as described in the FSEIR. Until the substantial commencement of work in connection with such project (excluding test borings or geotechnical or environmental evaluations, but including excavation or utility work) with respect to a given parcel of the Central Artery Special District, such parcel shall be governed by the zoning regulations in effect for such parcel as of January 1, 1991.

Petitioner: Boston Redevelopment Authority

By: _____
Stephen Coyle, Director

Address: City Hall / 9th Floor
Boston, MA 02201

Tel No.: 722-4300, ext. 4329 or 4330

Date: _____
as authorized by BRA Board on

